

MORSBERGER, LLC,

PETITIONER

*

BEFORE THE ZONING BOARD

*

OF HOWARD COUNTY

ZONING BOARD CASE NO. 1058M

* * * * *

ORDER

The above-captioned case was heard as a petition requesting rezoning from the RC-DEO (Rural: Conservation) District to the R-20 (Residential: Single) District for the 13.48 acre subject property as described in the petition.

The existing zoning for the subject property at the time that the Board heard this petition was RC-DEO because the "Comp Lite" Comprehensive Zoning Bill, Council Bill 2-2005, was suspended in its effect by the Howard County Board of Elections' approval of a petition for referendum challenging Council Bill 2-2005 as required by Section 211(a) of the Howard County Charter. The subject property, as noted in the Department of Planning and Zoning's Technical Staff Report, had been zoned R-20 under Amendment 10.01 of Council Bill 2-2005.

Due to the Court of Special Appeals' invalidation of the petition for referendum on June 21, 2006, and the Court of Appeals' denial of any review by it of that decision on July 28, 2006, the suspension of the effect of Council Bill 2-2005 was removed on July 28, 2006, and the subject property's R-20 zoning took effect.

The Board cannot make a decision on the petition as filed because the former existing zoning, RC-DEO, is no longer in effect, and the requested zoning, R-20, is in effect.

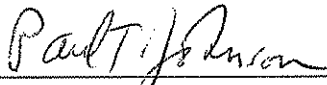
For the foregoing reasons, the Zoning Board of Howard County, Maryland on this 5th day of September, 2006, hereby DISMISSES the petition as moot and/or beyond the jurisdiction of this Board.

ATTEST:



Robin Regner
Administrative Assistant

PREPARED BY HOWARD COUNTY
OFFICE OF LAW
BARBARA M. COOK
COUNTY SOLICITOR

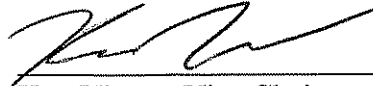


Paul T. Johnson
Deputy County Solicitor

HOWARD COUNTY ZONING BOARD



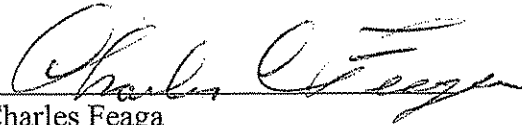
Guy Guzzone, Chairperson



Ken Ulman, Vice Chairperson



Calvin Ball



Charles Feaga



Christopher J. Merdon